

Before the
Federal Communications Commission
Washington, DC 20554

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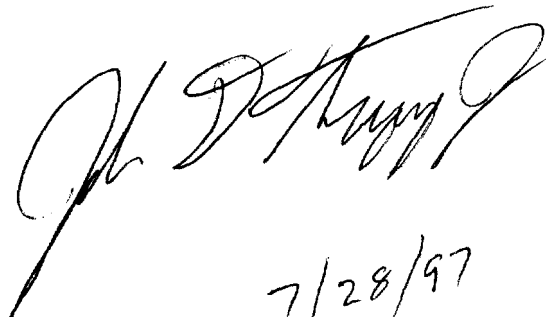
In the matter of

Amendment of Part 95 of the
Commission's Rules to Allow
Organizations Licensing on GMRS

RM-9107

In response to comments filed on RM-9107

Filed by:
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7/28/97

Noted and for record
Date 08/11
WT

My name is John Truempy I am president of REACT Southwestern New Jersey. I am also a volunteer with the Boy Scouts of America where I serve in the capacity of a District Commissioner. I am 31 years old, married and the father of five. I am not a user of GMRS or an Amateur Radio Operator.

I did not comment on the original proposal because of personal problems and after reading it, felt that it was what many of the Scouts I deal with would call a "no brainier". Who could be opposed to changing the rules to help public service organizations with communication needs? Obviously I was wrong in this line of thought after reading summaries of the comments filed by Mr. Bennett Z Kobb and Corwin D Moore Jr.. I now feel that I must comment on their filings.

Both of these gentlemen stated that the proposal adds nothing new. I don't know if you have rules that disallows submitting suggestions to changing rules after they have been set. But things have changed since 1988. We now have cell-phones and the "World Wide Web". I would hope that you have a method of excepting recommendations as time changed and technology evolved. Mr. Kobb even went so far as to imply that some kind of penalty should be put against Kenneth J. Collier for wasting your time in what he calls a "frivolous pleading". If this is true, then we are teaching the Scouts the wrong thing. We tell them that when there is a law they don't agree with they still have to follow it. But if they feel that it is wrong, they should try and have it changed properly.

These two men also seem to have a problem with the idea of using IRS 501(c)(3) as a determination to use this service. What group with this status shouldn't have affordable communications. The charities or the groups that prevent cruelty to children or animals or any other group under this IRS heading. Granted, having 501(c)(3) doesn't give you natural radio skills. But these groups must be doing something good in order for the IRS not to want to collect taxes from them and give citizens a break on their taxes for giving them money to operate. Are so called "bogus if benevolent sounding, 'public service' organizations" going to draw attention to themselves just to get to use GMRS? I don't know how may persons are serving time in prison for breaking FCC rules, but I am sure there are a few more in prison for breaking IRS rules. I did not get the feeling that 501(c)(3) status was suppose to be the only indicator in whether you could use GMRS as a group. Who, from this group, could be decided by their use of the service and that is set by you.

The idea that groups given a GMRS license would not identify themselves or use unit designators to protect members who did not follow FCC rules. It's an odd concept to say the least. I know with my team, any member who operated in a manner that was not in compliance would be handled within our group. A member who would not follow the rules would be jeopardizing our group license. Officers of any organization must protect its assets and property. I could remove a member from the team faster then someone could file a complaint. Following the rules is not difficult. Any member who wouldn't would have to be evaluated

to see if they should be using any organization assets. Most 501(c)(3) organizations must also raise money and if a member can't follow a few radio rules, what kind of image are they projecting to the public.

Mr. Moore seems to have a major dislike or trust of public service organizations. He seems to imply that GMRS operators all follow the rules until they join a public service group. How could this be? He tells of channel sharing problems. Would not the same people be using the same channel having the same conversation no matter how they were licensed? The comments about "closed tone" sound a lot like many of the GMRS operators that I monitor. Most seem just to be friends or part of a repeater group. No public service groups in my area currently use GMRS to my knowledge and I know members in most of them. So these people must have no association other than an interest in the repeater. Mr. Moore should be trying to get rid of these individuals also. Even if it meant eliminating the repeater they support.

The idea about not monitoring cochannel is completely unfounded. Many public service groups set up monitoring programs. Why would I monitor at all hours except when I was operating with the team. My team monitors GMRS with scanners and we can't respond back but as long as we get enough information we can send help. The ideas against net operation, I don't understand. From the way I have observed most nets operated, it is to bring order to crowded frequencies and give every one a chance to talk.

The statements about public service organizations thinking that their communications are more important than other users, is also unfounded. Every user feels that their communications are important. Should all radio users keep communications restricted to emergencies only? It would definitely open up space in the crowded channels. Not yielding the channel to emergency traffic would be wrong and immoral to say the least. Most members of public service organizations have already demonstrated that they have a sense of community and to a degree that could imply a higher moral standard. Many public service organizations charge their members dues and require a lot of time commitment. These people often put the needs of community before their own personal needs. It seems that it is implied that these persons are good individuals until they get a radio in their hand.

Mr. Moore also does not understand what "first responders" are. In most parts of this country police, fire or ambulance (EMTs) are considered emergency units. A first responder is usually a person who has received less, but some training in dealing with the type of emergency that they are responding to than the regular emergency personnel. A police officer who has received EMT-A training responding to a medical call in advance of the ambulance would be a first responder. In some places first responders receive specific training. The course is similar to a thinned EMT course or advanced first aid. If the fire department is a first responder to a fire, then is the board up service considered

the emergency agency? What is a non-threatening weather condition that would activate a public service organization? Most of the groups have other things to do than to talk about the weather when it is nice. My team activates only when the national weather service has issued some kind of warning. If the national weather service is activating the SKYWARN or early warning systems during good weather, then there is a problem with these systems I don't know about.

The statements about point-to-point between land stations is another problem that I have noticed from GMRS users having individual licenses. I often hear units state that they will be back. They have to get the phone and unless they have a phone line in their cars they must be at a base station. How about the users who were just watching TV or laying in bed talking. Phones, TVs and beds all in their vehicles the local GMRS users must have great vehicles or are they violating FCC rules and they aren't even part of a "public service team".

The problems of frequency stability, antennas, power levels, and lending of callsigns are problems in GMRS not limited to public service organizations. If Mr. Moore or the Personal Radio Steering Group Inc. know of any violators of FCC rules they should report them immediately, whether they are a public service organization, a family or repeater group. If as many public service organizations are violating FCC rules as are being implied then they should have their license revoked making plenty of room for public service organizations who would follow the rules. I certainly hope that PRSG has always done this.

It was also stated by both of these gentlemen that there was other radio services that we can use. We can't use public safety, government, broadcast or many of the other services. CB is a great service my team uses it often, but many times it does not meet our needs. The range is too short for county wide or large area operations. Severe weather can make the band totally unusable. FRS service is intended for short range only. Is my team and others suppose to base our communication needs on advertisers' claims. If their ads stated 1/4 mile only then they might not sell as many radios. The reports from REACT that I have read that made claims of long distances with FRS were made in conjunctions with FRS transmitters causing interference with GMRS units and activating GMRS repeaters. The 49 MHz walkie-talkies also do not have the range we often need. We do use them at some events. Amateur band is great. It has diversity, range and reliability. Many of my team members plan on getting their licenses, at least so we can coordinate with RACES teams. It is hard enough to get volunteers with peoples busy schedules today. It would greatly handicaps many public service organizations when new members need to pay, study and take a test just to give of their own time to help other people. I was told in a phone call to the FCC that I could license in the business band, but the cost is very prohibitive. Also the channel sharing problem being discussed is even worse in the business band. Maybe for my team, the answer is we would not conduct searches for children over 14 miles from our base of operation. We can say sorry Camden City. Or maybe we should tell the county we can't help out on any

weather emergency when there is lightning. They can always keep the police officer blocking a flooded road until public works arrives. If another emergency happens during the storm, too bad.

The statements about few public service organizations licensing on or maintaining repeaters on (462.675 / 467.675) could be used in support of group licensing. What frequency a organizations uses would be set by you. If you want an emergency repeater network set up nation wide, what could be better then putting groups that can afford to set one up on these frequencies. Currently there is no incentive for licensing on this pair. If you license on another pear you can still use (462.675 / 467.675) in an emergency it's like getting a regular channel and a backup in case there is an emergency. If you put more groups on this pair as a condition to group license you would get a network of repeaters and increase the odds of someone answering the call when someone needed help. Its like making a call on CB channel 19 if you need help on a major highway then making the same call for help on channel 9 and hoping some volunteer or police are monitoring.

My last exception to these two letters deals with their comments about lists of members' addresses. Mailing lists usually do not include radio information. The only reason anyone would want a mail address list is to solicit something to them. Why does Mr. Moore or PRSG want REACT's members addresses, is it to sell their "flagship publication" to them?

I started my REACT team after finding out that there was no mechanism for finding lost children in my area except the police who are over worked. I was later told that around 40 children per month from my area are entered into the national database for missing children. We also had no other groups monitoring emergency radio channels and many persons in my area can not afford cellular phones. We have also now started a severe weather response system after one storm taxed our emergency services quite a bit. The trend in government is down sizing as you at the FCC are well aware of. Many of the services once performed by government is now being performed by concerned citizens at least in support of local government. GMRS meets the need of many public service organizations. Making our members purchase there own licenses only puts one more burden on people already giving of themselves. It currently costs \$20 to join react, \$5 for insurance, \$25-\$150 for personal and safety equipment plus the cost of personal radio equipment. We never ask for anything but a "Thank You". You have right now the opportunity to help many organizations. So in turn help the American public. Any potential problems could be handled by rule making and if someone won't follow the rules they loose the license. Thank you for you time. I hope you decide in favor of this rule making change.